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**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOHN RICHARD JAE,

Plaintiff :
:

v.

**SUPERINTENDENT DRAGOVICH,
et al.**

No. 1: CV-00-2123

(Judge Rambo)

(Magistrate Judge Smyser)

**FILED
HARRISBURG
FEB 20 2001
MARY E. D'ANDREA CLERK
DEPUTY CLERK**

**DEFENDANTS' MOTION FOR ENLARGEMENT
OF TIME TO RESPOND TO THE COMPLAINT**

Defendants respectfully request an enlargement of time to respond to plaintiff's complaint. In support of this motion, defendants assert the following:

1. The complaint in this case along with a request for waiver of service form was sent to defendants on December 19, 2000. Defendants waived service on January 25, 2001. Accordingly, pursuant to Fed.R.Civ.P. 12(a)(1)(B), a response to the complaint is due sixty (60) days after December 19, 2001, or February 20, 2001.
2. Counsel for defendants was ill on February 16, 2001, and the weekend following and was unable to complete defendants' response to the complaint.
3. Accordingly, defendants request an enlargement of time of two (2) weeks or until March 6, 2001, to respond to the complaint.

WHEREFORE, defendants respectfully request an enlargement of time of two weeks or until March 6, 2001, to respond to the complaint.

Respectfully submitted,

D. MICHAEL FISHER
Attorney General

BY: 

MICHAEL L. HARVEY
Senior Deputy Attorney General

SUSAN J. FORNEY
Chief Deputy Attorney General
Litigation Section

Office of Attorney General
15th Fl., Strawberry Square
Harrisburg, PA 17120
Direct: (717) 787-7369
Date: February 20, 2001

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JOHN RICHARD JAE, :
Plaintiff :
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: (Judge Rambo)
SUPERINTENDENT DRAGOVICH, :
et al. : (Magistrate Judge Smyser)

CERTIFICATE OF SERVICE

AND NOW, this 20th day of February, 2001, I, MICHAEL L. HARVEY, Senior Deputy Attorney General, counsel for defendants in the above-captioned action, hereby certify that I this day served the foregoing Defendant's Motion for Enlargement of Time to Respond to the Complaint by causing a copy of the same to be deposited in the United States mail, postage prepaid, at Harrisburg, Pennsylvania, addressed to the following:

John Richard Jae, BQ-3219
SCI-Pittsburgh
P.O. Box 99901
Pittsburgh, PA 15233



MICHAEL L. HARVEY
Senior Deputy Attorney General

DATE: February 20, 2001